

HOUSE BILL No. 1290

DIGEST OF INTRODUCED BILL

Citations Affected: IC 33-19-5-4.

Synopsis: Proceedings supplemental fee. Requires a court clerk to collect a proceedings supplemental fee of \$15 from a party who files a motion for proceedings supplemental to enforce a civil judgment. Requires the clerk to forward the fee to the county auditor for deposit in the county general fund.

Effective: July 1, 1999.

Ruppel

January 11, 1999, read first time and referred to Committee on Judiciary.

C
o
p
y



First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

HOUSE BILL No. 1290

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 33-19-5-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) For each civil
3 action except:
4 (1) proceedings to enforce a statute defining an infraction under
5 IC 34-28-5-4 (or IC 34-4-32-4 before its repeal);
6 (2) proceedings to enforce an ordinance under IC 34-28-5-4 (or
7 IC 34-4-32-4 before its repeal);
8 (3) proceedings in juvenile court under IC 31-34 or IC 31-37;
9 (4) proceedings in paternity under IC 31-14;
10 (5) proceedings in small claims court under IC 33-11.6; and
11 (6) proceedings in actions under section 6 of this chapter;
12 the clerk shall collect from the party filing the action a civil costs fee
13 of one hundred dollars (\$100), except as provided in subsection (b).
14 (b) For each proceeding for the issuance of a protective order under
15 IC 34-26-2:
16 (1) the clerk shall initially collect thirty-five dollars (\$35) of the
17 civil costs fee from the party that filed the action or the court may



1 waive the initial thirty-five dollars (\$35) of the civil costs fee for
2 the party that filed the action; and

3 (2) upon disposition of the protective order petition under
4 IC 34-26-2, the court may order that:

5 (A) the remainder of the civil costs fee, in the amount of
6 sixty-five dollars (\$65), be assessed against the respondent in
7 the action as provided in IC 34-26-2-4 or against the party that
8 filed the action; and

9 (B) the initial thirty-five dollar (\$35) civil costs fee be
10 reimbursed by the respondent in the action to the party that
11 filed the action or assessed against the respondent in the action
12 as provided in IC 34-26-2-4.

13 (c) In addition to the civil costs fee collected under this section, the
14 clerk shall collect the following fees if they are required under
15 IC 33-19-6:

16 (1) A document fee.

17 (2) A support and maintenance fee.

18 **(d) For each motion for proceedings supplemental that is filed**
19 **to enforce a civil judgment, the clerk shall collect from the party**
20 **who filed the motion a proceedings supplemental fee of fifteen**
21 **dollars (\$15). The clerk shall forward a proceedings supplemental**
22 **fee collected under this subsection to the county auditor for deposit**
23 **in the county general fund.**

C
o
p
y

